

REMARKS

Rejections under 35 U.S.C. § 102(b)

Claims 5 and 7 have been rejected as being anticipated by Winder. Applicants respectfully disagree. Claim 5 recites features of a universal collar that are not shown in Winder. Particularly, claim 5 defines a universal collar comprising a body having a first flange and a second flange, and recites “wherein said flanges define notches on a side of the universal collar.” Thus, the universal collar defined by the claim requires that *both* flanges define notches. Winder does not show this. The Examiner has identified in Winder a first flange 52 and a second flange 58.* But, the text and figures of Winder teach that flange 52 does *not* define a notch. Reviewing Figs. 4, 5, 6 and 9 together, it is clear that element 52 is an unbroken *annular flange*. See also, column 4, line 2, which defines element 52 as an annular flange (“the upper surface 51 of the annular flange 52...”). The Examiner has identified element 46 as the notch, but element 46 is not defined by flange 52. Rather, element 46 is an upwardly-opening slot in the upper cylindrical portion 44 of upper element 26. See, column 3, lines 46-49:

As may be seen particularly from FIG. 6, the upper element 26 comprises an upper cylindrical portion 44 which has diametrically-located upwardly-opening slots 46 formed therein...

Although the Examiner has asserted in paragraph 4 of the outstanding Office Action that Winder discloses notches, Winder does not teach the notches as defined by the claim.

Moreover, and with respect to claim 7, no part of Winder’s top edge 44 circumscribes a portion of the container 16. Applicants appreciate that the claim does not positively recite the container, but the Applicants maintain that the relationship between the collar and the container is useful in defining the structure of the collar, as “the present invention relates to a universal collar that may be attached to the container and allow the container to be inserted in multiple dispenser housings, despite any keying systems associated with those housings.” (See, Field of the Invention, page 1, lines 9-11).

* Given the number of, and amount of space between, the “discontinuous protrusions 58” (column 4, line 14; Fig. 6), element 58 hardly constitutes a flange. But, given the structural distinctions between flange 52 and the flange as defined in the claims, and addressed *infra*, the Applicants need not rely on this observation to distinguish the reference.

Thus, Winder does not teach a universal collar as defined in the claims. Accordingly, claims 5 and 7 are believed allowable over Winder.

Claims 2 and 5-7 have been rejected as being anticipated by Taljaard. Applicants respectfully disagree. Both claim 2 and claim 5 recite features not shown in that reference.

Claim 2 defines a universal collar comprising a body having a first flange and a second flange, and recites “wherein said flanges are connected on a forward side of the universal collar by a vertically extending rib, and wherein said flanges define notches on a side of the universal collar opposite said rib.” Taljaard does not teach this. With respect to the embodiment shown in Fig. 1, the Examiner has identified elements 15 and 11 as the flanges, “the filled in portions between grooves 23” as the rib, and elements 23 or 25 as the notches. But, Taljaard’s “rib” does not connect the flanges, and the flanges do not define notches. Element 12 in Taljaard is situated between flanges 11 and 15 and includes a number of grooves, including a circumferential groove near flange 15. The “filled-in portion” thus does not connect the flanges, as required by the claim. Moreover, neither of the flanges 11 or 15 defines the notches. Rather, grooves 23 and dimples 25 are defined in tubular section 12. See, page 1, lines 108-114. Although the Examiner has asserted in paragraph 4 of the outstanding Office Action that Taljaard discloses notches, Taljaard does not teach the notches as defined by the claim.

With respect to the embodiment shown in Fig. 3, the Examiner has identified elements 46 and 52/54 as the flanges, element 64 as the rib, and elements 78 and 62 as the notches. But again, Taljaard’s “rib” does not connect the flanges, and the flanges do not define notches. Element 64 in Taljaard is situated on tubular section 42 between flanges 46 and 52/54. Notably, however, rib 64 does not extend to either flange 46 or 52/54, and therefore does not connect the flanges, as required by the claim. Moreover, flange 46 does not define a notch. Rather, element 62 (which is defined as a ridge by Taljaard, page 2, lines 41-42) is defined in the tubular section 42. The “notch” is *not* defined by the flange 46. Although the Examiner has asserted in paragraph 4 of the outstanding Office Action that Taljaard discloses notches, Taljaard does not teach the notches as defined by the claim.

Thus, Taljaard does not teach a universal collar as defined in claim 2.

Claim 5 defines a universal collar comprising a body having a first flange and a second flange, and recites “wherein said flanges define notches on a side of the universal collar.” As

argued with respect to claim 2, neither the embodiment shown in Fig. 1 or Fig. 3 shows notches defined by the flanges.

Also, claim 5 recites "wherein said body includes a top edge, said top edge defining a locating recess for receipt of a projection on the container, said recess having a base and a pair of upstanding sides, wherein said sides are circumferentially spaced from each other for receipt of the projection therebetween." Taljaard does not teach this, and the Examiner has not identified the features in the reference that correspond to these recited features. The Examiner asserts only that the reference shows "a recess (Claims 5-7) in flanges 52/54 in figure 3 that mates with projection 56 on the dispenser." The Applicants do not find the recited features in the structure of Taljaard.

Taljaard does not teach a universal collar as defined in claim 5.

With respect to claim 7, the Examiner has not identified in Taljaard where that reference shows a top edge extending axially upward relative to the first flange, or where it extends in a circular fashion to circumscribe a portion of the container, but the Applicants do not find these features in the reference.

Conclusion

In light of the foregoing, a Notice of Allowance of all pending claims is earnestly solicited. Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

In the event that any fees are due with the filing of this Amendment, the Commissioner is hereby authorized to charge deposit account 18-0987.

Respectfully submitted,



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